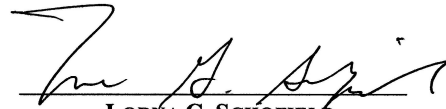




Defendants' application for a stay of discovery is **DENIED**.
By separate order, the case will be referred to Magistrate
Judge Cave for oversight of discovery, including any
appropriate modifications to the discovery schedule.

Dated: September 8, 2023
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

September 6, 2023

Aaron M. McKown
aaron@mckownbailey.com

VIA ECF

The Honorable Lorna G. Schofield
Thurgood Marshall United States Courthouse
United States District Court for the S.D.N.Y.
40 Foley Square
New York, NY 10007

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LICENSED TO PRACTICE IN:
CALIFORNIA
FLORIDA
TEXAS

**Re: *Bur-Tex Hosiery, Inc. v. World Tech Toys, Inc., et al.*,
Case No. 1:23-cv-03454-LGS**

Dear Hon. Schofield:

We represent Defendants Inov8 Marketing , LLC, Jack Safdeye, David Linker, World Tech Toys, Inc., World Trading 23, Inc., and Kevork Kouyoumjian (collectively, the “Defendants”) in the above-referenced matter (the “Action”). We write pursuant to Rule III.C of Your Honor’s Individual Motion Practices and Rules, and Rule 26(c) of the Federal Rules of Civil Procedure, to move to stay discovery until the Court rules on Defendants’ pending motion to dismiss Plaintiff’s First Amended Complaint (“Motion,” ECF No. 108).

I. Procedural History

On April 20, 2023, the Central District of California transferred the above referenced case to this Court. On June 7, 2023, Defendants submitted a pre-motion letter indicating their intent to file a dispositive motion based on the Settlement Agreement and Release of claims attached as an exhibit to the operative complaint. On June 28, 2023, the parties participated in a pre-motion conference during the Court granted Plaintiff’s request for leave to file a First Amended Complaint. On July 7, 2023, Plaintiff filed a First Amended Complaint (ECF No. 94). Defendants jointly filed a motion to dismiss pursuant to Rule 12(b)(2) and 12(b)(6) of the Federal Rules of Civil Procedure. The Motion was fully briefed as of August 11, 2023.

II. Substantial Discovery Served

On August 10, 2023, Plaintiff served the following discovery on Defendants: